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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/641,013	08/15/2003	Masaya Iwamoto	OKI.564	8882
20987 7	590 10/20/2005		EXAMINER	
VOLENTINE	FRANCOS, & WHITT	NGUYEN, NGOC YEN M		
ONE FREEDOM SQUARE 11951 FREEDOM DRIVE SUITE 1260			ART UNIT	PAPER NUMBER
RESTON, VA	20190		1754	-

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
	10/641,013	IWAMOTO, MASAYA			
Office Action Summary	Examiner	Art Unit			
	Ngoc-Yen M. Nguyen	1754			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).					
Status					
1) Responsive to communication(s) filed on	·				
2a) This action is FINAL . 2b) This	action is non-final.				
3) Since this application is in condition for allowar	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is				
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims					
4) Claim(s) <u>1-9</u> is/are pending in the application.					
4a) Of the above claim(s) is/are withdrawn from consideration.					
5) Claim(s) is/are allowed.	•				
6) Claim(s) is/are rejected.					
7) Claim(s) is/are objected to.					
8) Claim(s) <u>1-9</u> are subject to restriction and/or ele	ection requirement.				
Application Papers					
9) The specification is objected to by the Examiner.					
10) The drawing(s) filed on is/are: a) acce	epted or b) objected to by the E	Examiner.			
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).					
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).					
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.					
Priority under 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:					
1. Certified copies of the priority documents have been received.					
2. Certified copies of the priority documents have been received in Application No.					
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).					
* See the attached detailed Office action for a list of the certified copies not received.					
and the distance and action for a not of the defined depice flot rederved.					
Attachment(s)					
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date					
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) 🔲 Notice of Informal Pa	atent Application (PTO-152)			
Paper No(s)/Mail Date	6) Other:				

Art Unit: 1754

DETAILED ACTION

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-5 are, drawn to a method for treating an organic exhaust gas, classified in class 423, subclass 245.1+.
- II. Claims 6-9 are, drawn to a system for treating an organic exhaust gas, classified in class 422, subclass 129+.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the process as claimed can be practiced by another materially different apparatus such as by using a single unit.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

A telephone call was made to Mr. Adam Volentine on September 15, 2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must

include an election of the invention to be examined even though the requirement be

traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected

invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one

or more of the currently named inventors is no longer an inventor of at least one claim

remaining in the application. Any amendment of inventorship must be accompanied by

a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ngoc-Yen M. Nguyen whose telephone number is (571)

272-1356. The examiner is currently on Part time schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Mr. Stan Silverman can be reached on (571) 272-1358. The fax phone

numbers for the organization where this application or proceeding is assigned are (703)

872-9306.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed (571) 272-1700.

Mos - Leu Runde Ngoc-Yen M. Nguyen

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Primary Examiner

Art Unit 1754

nmn

October 6, 2005